

### Remarks

The Official Office Action of May 16, 2003 and the references therein made of record have been carefully considered. Claim 8 has been amended to overcome the informality noted by the Examiner. Although claims 9 and 11-15 are subject to a restriction requirement, applicant has amended claim 13 to overcome an obvious informality in the belief the Examiner will shortly find a generic claim to be allowable.

The Examiner has rejected claims 1-10 and 16-20 based on Coogan, either under 35 USC 102 or 35 USC 103. Coogan discloses a crutch assembly which includes a pair of elbow supporting crutches, each including a pivoted arm 18, 118 providing the elbow support which can be folded into the position shown in Figure 3 and the assembly thus converted into a single walking stick with the handles 16 joined in abutting coaxial relation.

Independent claims 1, 16 and 20 now recite that the handles, in the side-by-side position of the supports, are in side-by-side juxtaposed relation. There being no suggestion or motivation to modify Coogan in this respect, it is submitted that these independent claims now define over Coogan. Indeed, any attempt to modify Coogan in this respect will necessarily destroy Coogan's ability to provide elbow supporting crutches and is thus

impermissible. It is accordingly submitted that claims 1, 16 and 20 and their dependent claims 2-15, 16-19, 21 and 22 are allowable over Coogan.

The Examiner has also rejected claims 1-8 as unpatentable over Minniss 432,759 under 35 USC 103. Independent claim 1 now recites

a pair of separate walking canes each having an upright support providing an exterior, a foot adjacent the lower end of the support and a handle adjacent an upper end of the support allowing each handle to be grasped by a different hand of a user allowing the canes to be used separately and independently.

It is accordingly submitted that claims 1-8 are allowable over Minniss.

It is submitted that this application is in condition for allowance and early steps toward that end are earnestly solicited.

Respectfully submitted,



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# PATENT APPLICATION FEE DETERMINATION RECORD

Application or Docket Number

SN 10/039,097

## CLAIMS AS FILED - PART I

(Column 1) (Column 2)

FOR	NUMBER FILED	NUMBER EXTRA
BASIC FEE (37 CFR 1.16(a))		
TOTAL CLAIMS (37 CFR 1.16(c))	minus 20 = *	
INDEPENDENT CLAIMS (37 CFR 1.16(b))	minus 3 = *	
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d))		

SMALL ENTITY

OR

OTHER THAN SMALL ENTITY

RATE	FEE
	\$
x \$	=
x	=
+	=
TOTAL	

RATE	FEE
	\$
x \$	=
x	=
-	=
TOTAL	

\* If the difference in column 1 is less than zero, enter "0" in column 2

## CLAIMS AS AMENDED - PART II

(Column 1) (Column 2) (Column 3)

AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total (37 CFR 1.16(c))	* 2	Minus **	=
Independent (37 CFR 1.16(b))	* 22	Minus *** 20	= 2
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))			

SMALL ENTITY

OR

OTHER THAN SMALL ENTITY

RATE	ADDITIONAL FEE
x \$	=
x 9	= 18
+	=
TOTAL	18

RATE	ADDITIONAL FEE
x \$	=
x	=
-	=
TOTAL	

(Column 1) (Column 2) (Column 3)

AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total (37 CFR 1.16(c))	*	Minus **	=
Independent (37 CFR 1.16(b))	*	Minus ***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))			

RATE	ADDITIONAL FEE
x \$	=
x	=
+	=
TOTAL	

RATE	ADDITIONAL FEE
x \$	=
x	=
+	=
TOTAL	

(Column 1) (Column 2) (Column 3)

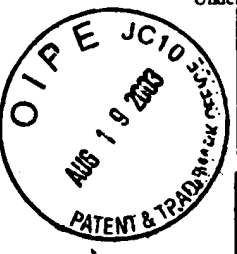
AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total (37 CFR 1.16(c))	*	Minus **	=
Independent (37 CFR 1.16(b))	*	Minus ***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))			

RATE	ADDITIONAL FEE
x \$	=
x	=
+	=
TOTAL	18

RATE	ADDITIONAL FEE
x \$	=
x	=
+	=
TOTAL	

- \* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
  - \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
  - \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".
- The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

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